RESOLUTION 08-12110

A RESOLUTION DETERMINING VARIANCE PETITION 08-V4 FROM SECTION 56-93(b)(2) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, WHICH REQUIRE THAT THE SHORE-NORMAL DIMENSION OF A PIER PLUS THE VESSEL TO BE MOORED TO THE PIER DOES NOT EXCEED 25 PERCENT OF THE WIDTH OF THE WATERWAY ADJACENT TO THE SUBJECT PROPERTY, IN ORDER TO ALLOW A DOCK TO EXTEND 1.35 FEET PAST THE ALLOWED 25 PERCENT WIDTH OF THE WATERWAY, FOR PROPERTY LOCATED AT 1565 GULFSTAR DRIVE SOUTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 56-93(b)(2) of the Code of Ordinances of the City of Naples requires that the shore-normal dimension of a pier plus the vessel to be moored to the pier does not exceed 25 percent of the width of the waterway adjacent to the subject property; and

WHEREAS, Dieter Holfelder, Blakely Island Holdings, LLC, is the owner of the property; and

WHEREAS, Jeff Maroon, J&M Boatlift and Repair, Inc., petitioner's agent, has been authorized by the owners to file this petition; and

WHEREAS, the petitioner has requested a variance from Section 56-93(b)(2) of the Code of Ordinances in order to allow for a dock to extend 1.35 feet past the allowed 25 percent width of the waterway; and

WHEREAS, the Planning Advisory Board, following an advertised public hearing, considered public input, the recommendation of the staff, and the standards and guidelines of Subsection 46-37, "Variances," and recommended by a vote of 7 to 0 that Variance Petition 08-V4 be approved, finding that the criteria have been met; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and after providing the petitioner, staff and the public an opportunity to present testimony and evidence, the City Council finds that the criteria set forth in Section 46-37 of the Land Development Code for variances have been met and that the petition should be granted;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Variance Petition 08-V4 is hereby granted from Subsection 56-93(b)(2) of the Code of Ordinances of the City of Naples, which requires that the shore-normal dimension of a pier plus the vessel to be moored to the pier does not exceed 25 percent of the width of the waterway adjacent to the subject property, in order to allow for a dock to extend 1.35 feet past the allowed 25 percent width of the waterway, for property located at 1565 Gulfstar Drive South, more fully described as:

LOT 10, SOUTHPOINTE YACHT CLUB PHASE ONE, ACCORDING TO REPLAT RECORDED IN PLAT BOOK 22, PAGE 38, PUBLIC RECORD COLLIER COUNTY, FLORIDA.
Resolution 08-12110

Section 2. This resolution shall take effect immediately upon adoption.


Bill Barnett, Mayor

Attest:

Tara A. Norman, City Clerk

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 7-22-08